

APPROVED

Board: Jim Pinkerton, Patty Conner, Dave Jackson, Tanji Northup, Jim Murray, Michael Bird, Tomasz Serbinowski, Paul Anderton (I don't know if he's still part of the board)

Others in Attendance: Russ Johnstun, Lorraine Mayne, Betsy Jerome, Brian Allen, Gabriela Benitez, Rebecca Norfleet, Jill Goodmansen, Kim Miller (via phone)

Meeting Called To Order at 1:04pm, 08.27.2013

Last month's meeting minutes (July 23, 2013): No objections/changes to last month's minutes. Minutes accepted as presented.

Marketplace Update – Patty Conner:

Dashboard for Sept 1, 2013: Avenue H has 356 groups and an 88.81% renewal rate. Avenue H started tracking stats again in January 2013 and re-started the count for previous coverage. Notice that 65% of groups who enrolled since January did not have prior coverage.

Any questions on dashboard? Jim Pinkerton: What was the percentage prior to January?

Patty Conner: 32%.

Avenue H be doing the stats a little differently in 2014 but will let you know how we arrive at the numbers when we figure it out.

Update on Technology for 2014 – Patty Conner:

We're in the process of getting all rates and plans transmitted out of SERFF and into PlanSource. We're having some minor difficulties but are getting and validating the information. Carriers will be able to validate plans through the pre-quote tool and we will let carriers know as soon as OCHS is comfortable with the tool. We are still on track for October 1 but we are about 3-4 weeks behind where we wanted to be and need to make up time.

Tanji Northrup: As you do plan preview, please work with Heidi Clausen. Hopefully we can shorten that window based on lessons they learned from the preview of the FFM and catch up some time.

We are hoping to open to public for October 1, 2013. The public won't give us personal identifiable information and will only give us employer location, age, and tobacco use for those over age of 18. Avenue H will provide them with a non-binding quote and are working with the carriers to provide appropriate language noting it is non-binding. They can print off the quote with the effective date requested and date obtained quote. We are on about the fifth update of the tool and hope to present at the next meeting.

We are on track for the online employer registration tool. New employer/ employee application identified and worked with CCIO for approval of application. We need another level of verification from CCIO to get them to sign off on the application.

We have spent most of last month working on the transition from bswift to Plansource and all of our early renewal groups. We had about 237 groups that requested early renewal through Avenue H. They will be able to see 2014 rates in the system in October and will also have 2013 early renewal rates which will allow them to compare and make the decision of whether to go forward. Once they decide there is no going back because we are overlaying the rates in our system. All of our communications to groups/brokers have gone out and we are in good shape.

For the transition process, bswift and eHealthApp will help with applications and rates and client set up through end of October. eHealthApp will remain through end of December but bswift will go through the first of January for transition process. They will get through new business for October through December and early renewals for December which will be done the end of October. OCHS will take over follow-up, audits, participation, etc. and handle all life events. The call center for bswift will close the end of October and our new call center will go live October 1, 2013 with a new 1-800 number. We will also keep existing business under old one so that we can keep the two activities very different. There is a one month overlap of call centers.

Plansource is doing a call center and will handle the majority of calls handling navigation and day to day activities regarding how you access the system. November and December we will take existing groups and move to Plansource so everyone is migrated by the first to middle of January.

Jim Murray: Regarding the transition with SERFF and rates: It looks like it will be pretty straightforward?

Patty Conner: We tested it earlier using dummy info and now will see actual information. We have people at SERFF who have experience who can help us so we think it will go fairly smoothly.

Will have plan filters by deductible, carriers and plan comparison. Will have sort features so you can look at plan detail and will have the SBC listed as well. Carriers may need to submit these SBCs.

Tanji Northrup: Do we want to build this into SERFF for the future? How would we identify SBCs to make sure it goes to the right place?

Jim Pinkerton: Thought they had to be in HIOS?

Dave Jackson: When it comes to ACA exchange access fee for 2014 I heard two things in the task force meeting last. Is the exchange access fee for the whole marketplace? Commissions will be the same inside and outside exchange?

Patty Conner: Yes- it will be spread across the whole market. Rather than Avenue H adding the commissions we are letting the carriers pay commissions to broker the same as they would in the commercial market. Avenue H will continue to pay commissions for existing groups through renewal in

2014. Commissions will be the same in and out of the exchange but not the same across all carriers since each carrier can structure it as they like.

Jim Murray: Using same provider file?

Patty Conner: We asked each carrier to send Avenue H their provider file in the format they prefer and we will work with it.

Avenue H is taking all plans that were filed and approved by UID.

Dave Jackson: Compared to the 144+ plans currently offered what will be the impact for next year?

Patty Conner: Netcare and MHP were included in the count of those plans so we probably actually had 80-90 plans per person so I don't think we will notice a lot of difference.

Dave Jackson: Arches will use Coventry which is a national network. *Can they use this national access? (I don't really know what this means so I'm hoping I captured it correctly? Would you know what this would mean/how to phrase it?)*

Lorraine Mayne: It varies a little by product but they have said that as soon as they are allowed they want to share who is on their network. They will readily make that available to you

Patty Conner: I will ask Arches who will be in their network and if they will have national coverage.

Workgroup Update:

RAPA- Michael Bird

Do not have any updates or meetings this last month

Retrospective Pooling – Michael Bird

I was able to contact all carriers and compiled information received and sent out last week so they should have all received it and reviewed by now. We talked about getting it approved this meeting so what is process? We don't want to distribute the information at the meeting. This transfer would be done with September transactions with Humana included in this transaction as well.

Last year, the board approved and sent to Patty Conner who sent the information to Health Equity with instruction on how to complete transaction. Health Equity then sent information to each contact. Humana received this file as well.

Jim Murray: I make a motion to accept the retrospective pooling.

Dave Jackson: Seconded.

Motion carried.

Patty Conner will give info to Certifi to include with September transactions and make adjustments.

Underwriting – Kim Miller

There was an attachment to the agenda that we will be reviewing (participation rules).

We did discuss the majority of topics on page 1 so will skip to the last bullet unless there are any questions.

Jim Murray: Noticed that FFM was looking at including retirees so wanted to make sure we discussed that we will not be including retirees in Avenue H. It seemed to be that FFM will allow but not require retirees. Most of these small employers don't usually offer retiree plans anyway and they would obtain coverage through the individual market.

The last bullet refers to Union employees. In Utah it accepts non-union employees even when the group is over 50 employees. It is the group's recommendation to continue this in 2014.

We will continue the process to verify participation when groups are applying for coverage as well as upon renewal. One exception would be for groups who don't meet participation and apply between November 15 and December 15 for a January 1 effective date. These groups do not have to meet participation requirements and will have coverage for the next year. Carriers will have to change some processes to accommodate this change.

Patty Conner: Regarding the exception date, Avenue H is planning on not doing the participation check for any group that comes in this Fall for a January 1 effective date. We will check participation if they apply for a February effective date. We may have some overlap for functionality but our plan is not to do a participation check this Fall. Is everyone ok with this? YES.

Consistent with what Patty said regarding the open enrollment period, anyone applying for a January 1 effective date between November 15 and December 15 will not have a participation check applied for them. For the renewability component, the group's coverage will not be renewed through Avenue H if they are not able to meet participation at the time of renewal. They can apply again with a new date or during that one month exception.

Tanji Northrup: Federal law allows employer groups to come in during this month every year for participation purposes for a January 1 effective date. I'm concerned with the statement saying they can reapply for a different anniversary date other than January 1.

Jim Murray: In researching this there is some parts still in the air because they talk about when you initially come in during this one month they waive participation but then they have to meet requirements at the time of renewal. The group can reapply but not with the same QHP.

Tanji Northrup: I disagree. The rules do not state November 15 and December 15, 2013 it says November 15 and December 15 of each year. I did talk with our state officer and her understanding is

the group can continue to come in year after year during that one month period without meeting participation.

What is meant by “same QHP”?

Tanji Northrup: Avenue H is not considered a QHP because every plan is a QHP.

Jim Murray: It’s still up in the air so we should make this as conservative as possible.

Tanji Northrup: I don’t think we should discuss this in the document since we are not agreeing and should wait until CMS comes out with some additional information and re-address again at a future date. I am ok with the first sentence referring to renewability but nothing after that.

Patty Conner: We will address renewal issues like this later next year. We are focusing on new business for now.

Kim Miller: I think the group renewability section should be included but state that recommendation is pending per clarification from HHS.

Tanji Northrup: The second sentence should be struck out.

Jim Pinkerton: Strike the language and add it back when revisited in the future.

Kim Miller: OK.

Jim Murray: I want to make one change on the participation check. Change it to be “at renewal” instead of “at any time.” It doesn’t really change anything but helps clarify. Also, under valid waivers it should be “Advanced” premium tax credit. On the front page we should include “eligible” after Full-time employees.

Kim Miller: In 2014 will the small employer definition remain the same as in 2013?

Tanji Northrup: The department has clarified it will be 1 -50 employees.

Jim Pinkerton: Do you want us to adopt this document by motion?

Kim Miller: Sure.

Jim Pinkerton: Board, are you ok with adopting the document with the changes that have been identified or do you want changes made and presented at next meeting?

Tomasz Serbinowski: I think eligible is used two different ways and we should change the wording.

Jim Murray: Maybe we should just leave out the “eligible.”

Dave Jackson: I don’t like the Eligible either.

Tomasz Serbinowski: Wonder if we should leave the paragraph regarding participation as TBD.

Patty Conner: Under group renewability put it TBD?

Dave Jackson: Put TBD on the first paragraph.

Kim Miller: I will add a sentence about whether these groups can re-apply pending clarification from HHS and also strike out the last 2 sentences.

Jim Murray: I make a motion to accept the document with three changes. First being to include under valid waivers "advanced." Second, under participation check to remove "anytime" and add "renewal" to the first sentence and then under the very last bullet under group renewability to remove the second and third sentences.

Kim Miller: Seconded.

Jim Pinkerton: Any discussion on the motion? None. Motion Adopted.

Legal Update – Jim Murray.

In general, what is the feeling of this document? Do we want all the underwriting type guidelines in there?

Tanji Northrup: No issues with you expanding but recommend that whatever is in that plan of operation make it limited to what the law says is in the risk adjuster's purview. I think eligibility does fall under RAB so you can include in the document but make sure it is available as an attachment and reference.

Patty Conner: We need to look at it from an operations perspective and we might want another set of eyes to take a look at it. OCHS can look at it and discuss any changes with Jim and get back to the board for review.

Regarding the contractual relationship with Avenue H, we have had a number of meetings internally to get a vision of how this may work to get a baseline. One option is should we consider each carrier having a separate contract that says what the carrier and Avenue H responsibilities are. Not doable for this time around but I don't know if that is something we can review in the future.

Another option is for the carriers to provide their contracts out on the exchange that states what employers and employees are agreeing to and overrides anything that is in their core document. The contract would be between Avenue H and the employer group.

Another option is the relationship would be between the employer and carrier so they would send out contracts separate from the shop.

Another option is business as usual but focus in on specific hot button items relating to Avenue H and address through "I Agree" statements. Would like to have OCHS at the table to walk through these

scenarios. Maybe for the first year it won't be the ultimate solution but we can brainstorm through different categories.

Patty Conner: There is added complexity because we will now have dental providers with their contracts. We need a one size fits all approach and an overarching set of rules that everyone agrees to and be put into place for Avenue H. OCHS has offered legal assistance to help with the process. We do need to add some "I Agree" statements but do we just add them minimally right now and continue to refine or do we settle on what we want now and implement?

Jim Murray: Will pull together the group. Do we need to have the dental carriers represented? Regence? Arches?

Patty Conner: I think we need to take a stab at it and then present to the board. I can tell you that I do not have everyone's contracts today.

Dave Jackson: Can we look at the employer like the individual? If so, wouldn't you look at Avenue H's document first and then go back to carrier's contract and simplify them?

Patty Conner: It will be helpful to have something to go on and would be nice to know what carriers have done in the past.

Jim Murray: What if OCHS reaches out and requests contracts from other carriers?

Patty Conner: Will review and put together some recommendations. Will reach out to carriers and get their contract and will make a recommendation for what OCHS language needs to look like.

Department Report – Tanji Northrup.

Any Questions? No.

Nothing else to report.

Jim Pinkerton: Meeting Times for November and December. We are currently scheduled for November in the same week of Thanksgiving. Anyone object to changing November's meeting to November 19th? Everyone is OK with change.

December is scheduled for Christmas Eve so are you ok with changing to either December 10th or December 17th? December 17th is the new day.

Is there any further discussion that needs to be brought up? Comments from the public? NO.